

MEMORANDUM ENDORSED

August 29, 2023

**VIA ECF**

The Honorable Gabriel W. Gorenstein, U.S.M.J.  
United States District Court  
Southern District of New York  
500 Pearl Street, 6B  
New York, New York 10007

**Re: Local 2507, et al v. City of New York, 22-cv-10336 (AT)(GWG) [rel. 20-cv-3389]**

Dear Your Honor:

Our office represents Plaintiffs in the above referenced matter. I write given Your Honor's decision yesterday [ECF No. 94] granting Defendant an extension to September 8, 2023 to submit opposition to Plaintiffs' pending Rule 37 motion [ECF No. 91] to request an extension of Plaintiffs' deadline to file their motion for certification, which is currently September 8, 2023.

Defendant consents to this extension of time for the motion for class certification.

This extension is necessary because Your Honor's decision on the pending Rule 37 motion will impact the scope of admissible evidence in the motion for class certification. In specific, the inclusion or exclusion of this evidence will impact the necessary arguments in Plaintiffs' motion for certification. As such, in order to submit the appropriate arguments as to relevant and admissible evidence, the Rule 37 motion must first be decided.

As such, parties agree, and Plaintiffs respectfully ask, that Your Honor grant the following extension of deadlines for Plaintiffs' upcoming motion for class certification:

1. Plaintiffs shall file their motion for class certification no later than fifteen (15) days after the Court's ruling on Plaintiff's pending Rule 37 motion;
2. Defendant shall file its opposition to class certification no later than thirty (30) days after Plaintiffs file their motion for class certification; and
3. Plaintiffs shall file their reply to Defendant's opposition to Plaintiffs' motion for class certification no later than twenty-one (21) days after Defendant files its opposition.

Parties are still meeting and conferring regarding FRCP 26(a)(2)(D)(ii) issues and will seek resolution from the Court of these issues only if parties are unable to resolve them.

Respectfully Submitted,

~//s//~  
Yetta G. Kurland

The deadline for the class certification motion is adjourned sine die. Within 2 business days of the decision on the Rule 37 motion, the parties shall file a letter proposing the new deadlines.

So Ordered.

  
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GABRIEL W. GORENSTEIN  
United States Magistrate Judge

August 30, 2023